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Draft Chesapeake Bay Total Maximum Daily Load

Comment On: EPA-R03-OW-2010-0736-0001

Clean Water Act Section 303(d): Notice for the Public Review of the Draft Total Maximum Daily Load (TMDL) for the Chesapeake Bay

Document: EPA-R03-OW-2010-0736-0676

Comment submitted by P. Moore

Submitter Information

Submitter's Representative: Pam Moore

General Comment

As a New York livestock producer within the Chesapeake Bay watershed, I urge the Environmental Protection Agency (EPA) to revise New York's Chesapeake Bay Total Maximum Daily Load (TMDL) allocation to an attainable and realistic standard and to accept the NYS Department of Environmental Conservation's (NYS DEC) Watershed Implementation Plan (WIP).

Farmers and ag support agencies (including NRCS, the Upper Susquehanna Coalition, Soil & Water Districts, Graze NY and NYS-GLCI) have worked pro-actively to address water quality concerns in our watershed. The quality of water leaving the NY portion of the Chesapeake Bay Watershed clearly demonstrates the success of these efforts. Ours is the cleanest water that makes its way into the Chesapeake Bay, and New Yorkers should not be penalized for their diligence and having already reduced nitrogen, phosphorus and sediment in the watershed when other states are struggling to achieve our level of water quality.

I'm concerned that Cornell University, New York's land grant college, was not involved in any way in developing or refining the model EPA is using to determine the TMDLs for our state. Consequently the model is flawed as it relates to agriculture, woodlands and other conditions in New York.

EPA should also adopt the model refinements recommended by the NYS DEC in their draft Phase I WIP which is an aggressive, achievable, stakeholder driven plan which provides adequate assurances of NY's ability to achieve stated nutrient reductions. These requested model refinements reflect the environmental protection accomplishments NYS has already attained and truthfully represents the practices of environmental stewardship currently employed on New York's family farms.

For these reasons and more, please revise New York's Chesapeake Bay Total Maximum Daily Load (TMDL) allocation to be more realistic and adopt the model refinements recommended by NYS DEC's WIP.